

Message Text

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15

ORIGIN STR-08

INFO OCT-01 EUR-25 IO-12 ADP-00 AGR-20 CEA-02 CIAE-00

COME-00 DODE-00 EB-11 FRB-02 H-02 INR-09 INT-08 L-03

LAB-06 NSAE-00 NSC-10 PA-03 RSC-01 AID-20 CIEP-02

SS-14 TAR-02 TRSE-00 USIA-12 PRS-01 SAL-01 OMB-01

AF-10 ARA-11 EA-11 NEA-10 OIC-04 /222 R

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COMMERCE: JFORREST

STATE: JHOLMES

AGRICULTURE: JHUDSON

LABOR: GVERNON

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R 240004 Z MAR 73

FM SECSTATE WASHDC

TO USMISSION GENEVA

INFO AMEMBASSY BRUSSELS

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E. O. 11652: N/ A

TAGS: ETRD, GATT, EEC

SUBJECT: ARTICLE XXIV:6 NEGOTIATIONS

REFS : GENEVA 1278

1. MOST CONCLUSIVE EVIDENCE US TREATED SIX AS ENTITY IN RTS
IS TEXT OF NOTE ATTACHED TO JOINT US- EC LETTER OF JUNE 30,
1967 CONCLUDING NEGOTIATIONS (SEE TAGG A-24, JULY 12, 1967).
SECOND PARA OF NOTE READS AS FOLLOWS:

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THE ATTACHED LIST DESIGNATES, IN THE RIGHT- HAND COLUMN FOR EACH CONCESSION, THE EUROPEAN ECONOMIC COMMUNITY OR THE MEMBER STATE THEREOF WITH WHICH IT WAS RECOGNIZED IN EARLY 1966 THAT SUCH CONCESSION WAS INITIALLY NEGOTIATED AT THE RATE SPECIFIED THEREFOR. IN EACH OF THOSE CASES IN WHICH A MEMBER STATE (FR, GY, OR IT) OR BENELUX (BX) IS DESIGNATED, THE RIGHT- HAND COLUMN SHOULD NOW BE CONSIDERED AS DESIGNATED THE COMMUNITY (EEC). IN EACH CASE IN WHICH DIFFERENT DESIGNATIONS OF INITIAL NEGOTIATING RIGHTS ARE GIVEN AT DIFFERENT RATES OF DUTY FOR THE SAME ITEM, THE CONCESSION AT THE LOWER RATE SHALL BE THE CONCESSION NOW DEEMED TO HAVE BEEN INITIALLY NEGOTIATED WITH THE COMMUNITY.

2. ONLY ARTICLE XXVIII ACTION US HAS INITIATED SINCE RTS IS STAINLESS STEEL FLATWARE. LUYTEN RESPONSE OF APRIL 28,

1971, TO CULBERT LETTERS OF APRIL 1 AND 13 (APPARENTLY ADDRESSED WEYDERT) AND CULBERT LETTERS OF MARCH 1 AND 10 TO WEYDERT AND PREVIOUS CORRESPONDENCE INDICATE CLEARLY US WAS NEGOTIATING WITH EC BECAUSE EC HAD INR RESULTING FROM RTS SETTLEMENT. NETHERLANDS WAS ONLY SIGNIFICANT EC SUPPLIER THOUGH GERMANY AND ITALY SUPPLIED SMALL AMOUNTS. PRESIDENTIAL PROCLAMATION (GATT L/3582) CLEARLY INDICATES A TARIFF QUOTA FOR THE EC.

3. RE PARAGRAPH 2 REFTEL WE UNABLE FIND ANY US OBJECTION TO TREATMENT OF SIX AS UNIT IN THIRD COUNTRY NEGOTIATION. QUICK SURVEY OF THIRD COUNTRY NEGOTIATIONS RECORDS INDICATE NO WITHDRAWALS OR MODIFICATIONS CONCESSIONS NEGOTIATED WITH EC AS UNIT. RECORDS DO INDICATE THIRD COUNTRIES HAVE NOT TREATED EC AS SUPPLYING UNIT WHEN RENEGOTIATING CONCESSION GRANTED TO ONE OF SIX OR IN WHICH ONE OF SIX IS CHIEF SUPPLIER. ROGERS

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*** Current Handling Restrictions *** n/a

*** Current Classification *** LIMITED OFFICIAL USE

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